

## In the United States Patent and Trademark Office

Applicants:	Michael T. Morman et al.	Docket No.:	13,857.1
Serial No.:		Group:	1771
Filed:	July 9, 2003	Examiner:	Hai Vo
For:	METHOD FOR FORMING A TRANSVERSELY EXTENSIBLE AND RETRACTABLE NECKED LAMINATE OF NON-ELASTIC SHEET LAYERS		
Express Mail	EV 094172608 US	Date:	July 9, 2003

### Transmittal Letter

### Request for Divisional Application under 37 CFR 1.53(b)(1) Same Plural Inventors

18837 U.S. PTO  
10/616430  
07/09/03

Mail Stop Patent Application  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Dear Sir:

Applicants hereby request the filing of a divisional application in accordance with the provisions of 37 C.F.R. 1.53(b)(1) of the below-identified prior application.

The prior application is identified as follows:

1. Serial number: 09/455,513
2. Filing Date: December 6, 1999
3. Title as originally filed: Transversely Extensible And Retractable Necked  
Laminate Of Non-Elastic Sheet Layers
4. Applicants as originally filed: Michael T. Morman, Robert J. Schwartz, Howard M. Welch and  
Patricia Hsiaoyin Hwang
5. Address of First Named Applicant in Prior Application: 555 Kings Peak,  
Alpharetta, GA 30022
6. Correspondence Address of Prior Application: Kimberly-Clark Worldwide, Inc.,  
401 North Lake Street, Neenah, Wisconsin 54957-0349

The prior application is currently pending before Examiner Hai Vo in Group 1771. The entirety of the prior application is hereby incorporated by reference in this application.

Enclosed is a copy, as originally filed, of the above-identified prior application which includes Thirty-seven (37) pages of specification, the specification including a one (1) page Abstract, Six (6) pages of claims, and Fourteen (14) sheets of drawings.

Also enclosed is a copy of the Combined Declaration and Power of Attorney showing the signature of the inventor in the prior application. If applicable, a copy of any amendments referred to in the oath or declaration is also enclosed.

This application is filed by the same inventors named in the prior application.

Please amend the specification of this application by inserting, at the beginning thereof, the following:

-- This application is a divisional of application serial number 09/455,513 entitled Transversely Extensible And Retractable Necked Laminate Of Non-Elastic Sheet Layers and filed in the U.S. Patent and Trademark Office on December 6, 1999. The entirety of application serial number 09/455,513 is hereby incorporated by reference. --

Please amend the title from "Transversely Extensible And Retractable Necked Laminate Of Non-Elastic Sheet Layers" to "Method for Forming a Transversely Extensible And Retractable Necked Laminate Of Non-Elastic Sheet Layers".

Please cancel Claims 11-23, 32, and 33.

Please amend Claim 10 to "The necked laminate of Claim 1, wherein said neckable material comprises a spunbond nonwoven material."

And, if indicated:

☐ A preliminary amendment is enclosed.

☒ Please consider the accompanying Information Disclosure Statement, PTO 1449 and copies of the documents (excluding pending applications) cited therein. Pending applications are recited on a separate sheet to avoid their being printed on the face of any patent issuing herefrom.

The filing fee, pursuant to 37 C.F.R. 1.16(a), (b), (c) and (d), has been calculated, after entry, if applicable, of any amendments, as follows:

	Number Filed	Number Extra	Rate	Fee
Total Claims	20 -20 =		x 18 (fee code 1202) =	0.00
Independent Claims	3 -3 =		x 84 (fee code 1201) =	0.00
First Presentation of Multiple Dependent Claims			+ 280 (fee code 1203) =	000
			Base Fee (fee code 1001)	\$750.00
			TOTAL	\$750.00

Please charge Kimberly-Clark Worldwide, Inc. deposit account number 11-0875 for (1) the filing fee indicated in the TOTAL above; and (2) any patent application processing fees required under 37 C.F.R. 1.17.

In the event the filing fee indicated in the TOTAL above has been incorrectly calculated, please charge any additional filing fee or credit any excess in the filing fee to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

Please address all correspondence to the correspondence address associated with Customer Number 23556.

This transmittal letter is submitted in duplicate.

The undersigned may be reached at telephone number (770) 587-8620 or fax number (770) 587-7324.

Respectfully submitted,

MORMAN ET AL.

By: Christos S. Kyriakou  
Christos S. Kyriakou  
Registration No.: 42,776

#### CERTIFICATE OF MAILING

I, Christos S. Kyriakou, hereby certify that on July 9, 2003 this document is being deposited with the United States Postal Service, postage prepaid, Express Mail No. EV 094172608 US in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Christos S. Kyriakou  
Christos S. Kyriakou